

1 Jayne W. Williams, Esq. (SBN: 63203)
jwilliams@meyersnave.com
2 Deborah J. Fox, Esq. (SBN: 110929)
dfox@meyersnave.com
3 Philip A. Seymour (SBN: 116606)
pseymour@meyersnave.com
4 MEYERS, NAVE, RIBACK, SILVER & WILSON
5 555 12th Street, Suite 1500
Oakland, California 94607
Telephone: (510) 808-2000
6 Facsimile: (510) 444-1108

7 Attorneys for Defendant
8 CITY OF SAN LEANDRO
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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 INTERNATIONAL CHURCH OF THE
14 FOURSQUARE GOSPEL,

15 Plaintiff,

16 v.

17 CITY OF SAN LEANDRO, a municipal
18 corporation,

19 Defendant.
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23 FAITH FELLOWSHIP FOURSQUARE
24 CHURCH,

25 Real Party in Interest.
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Case No. C07-03605-PJH

CITY OF SAN LEANDRO'S
REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF ITS OPPOSITION
TO PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT;
EXHIBITS A-B IN SUPPORT
THEREOF
(Plaintiff's Motion No. 2)

Hearing:

Date: October 1, 2008

Time: 9:00 a.m.

Courtroom: 3

Honorable Phyllis J. Hamilton
Complaint Filed: 7/12/07

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 Defendant City of San Leandro ("the City") hereby requests that this Court take
3 judicial notice of the matters set forth in Exhibits A-B attached hereto in support of its
4 opposition to plaintiff's motion for summary judgment no. 2.

5 Pursuant to the Federal Rules of Evidence, Rule 201, a court may take judicial notice
6 of undisputed matters of public record, including records and reports of administrative
7 bodies; legislative history of laws, rules or ordinances. *See Lee v. City of Los Angeles*, 250
8 F.3d 668, 689 (9th Cir. 2001) citing *Mack v. South Bay Beer Distributors, Inc.*, 798 F.2d
9 1279, 1282 (9th Cir. 1986).

10 Accordingly, the City requests that this Court take judicial notice of the following
11 legislative history found at:

12 Exhibit A Congressional Record – Senate Proceedings and Debates of the 106th
13 Congress, Second Session, July 27, 2000 re Religious Land Use and
14 Institutionalized Persons Act of 2000, 146 Cong. Rec. S7774-01 (2000 WL
15 1079346)

16 Exhibit B Religious Liberty Protection Act of 1999, H.R. Rep. 106-219 (1999 WL
17 462644)

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19 Dated: September 9, 2008

MEYERS, NAVE, RIBACK, SILVER & WILSON

20
21 By /s/

22 DEBORAH J. FOX
23 Attorneys for Defendant
CITY OF SAN LEANDRO

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